

# ATHLETIC TRAINERS

*Administrative Rules of the Texas Department of Licensing and Regulation  
16 Texas Administrative Code, Chapter 110  
(Effective January 15, 2021)*

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**110.1. Authority.** *(New Section adopted effective July 1, 2018, 43 TexReg 3881)*

The sections in this chapter are promulgated under the authority of the Texas Occupations Code, Chapters 51 and 451.

**110.10. Definitions.** *(New Section adopted effective July 1, 2018, 43 TexReg 3881)*

The following words and terms, when used in these rules shall have the following meanings unless the context clearly indicates otherwise. Words and terms defined in the Athletic Trainers Act shall have the same meaning in these rules:

- (1) Act--Texas Occupations Code, Chapter 451.
- (2) Advisory Board--the Advisory Board of Athletic Trainers.
- (3) Athlete--A person who participates in an organized sport or sport-related exercise or activity, including interscholastic, intercollegiate, intermural, semiprofessional, and professional sports activities.
- (4) Commission--the Texas Commission of Licensing and Regulation.
- (5) Department--the Texas Department of Licensing and Regulation.
- (6) Executive Director--the executive director of the department.
- (7) Licensee--A person who holds a current license or a temporary license as an athletic trainer issued by the department under the Act.
- (8) Temporary license--A license issued under §110.30.

**110.12. Scope of Practice.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435)*

- (a) A licensed athletic trainer prevents, recognizes, assesses, manages, treats, disposes of, and reconditions athletic injuries and illnesses under the direction of a physician licensed in this state or another qualified, licensed health professional who is authorized to refer for health care services within the scope of the person's license.
- (b) The activities listed in subsection (c)(1)-(7) may be performed in any setting authorized by a licensed physician and may include, but not be limited to, an educational institution, professional or amateur athletic organization, an athletic facility, or a health care facility.
- (c) Services provided by a licensed athletic trainer may include, but are not limited to:
  - (1) planning and implementing a comprehensive athletic injury and illness prevention program;
  - (2) conducting an initial assessment of an athlete's injury or illness and formulating an impression of the injury or illness in order to provide emergency or continued care and referral to a physician for definitive diagnosis and treatment, if appropriate;
  - (3) administering first aid and emergency care for acute athletic injuries and illnesses;
  - (4) coordinating, planning, and implementing a comprehensive rehabilitation program for athletic injuries;
  - (5) coordinating, planning, and supervising all administrative components of an athletic training or sports medicine program;

- (6) providing health care information and counseling athletes; and
- (7) conducting research and providing instruction on subject matter related to athletic training or sports medicine.
- (d) A licensee shall not provide health care services which are not within the definition of "athletic training" in the Act except in accordance with state and federal laws and rules applicable to the provided services including, but not limited to, Occupations Code, Chapter 157, relating to a physician's delegated authority; other licensure laws; and laws relating to the possession and distribution of controlled substances.

**110.14. Advisory Board Membership.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435; amended effective July 1, 2018, 43 TexReg 3881)*

The Advisory Board of Athletic Trainers consists of five members appointed by the presiding officer of the commission with the approval of the commission as follows:

- (1) three members who are athletic trainers; and
- (2) two members who represent the public.

**110.15. Duties.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435)*

The advisory board shall provide advice and recommendations to the department on technical matters relevant to the administration of this chapter.

**110.16. Terms; Vacancies.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435)*

- (a) Members of the advisory board serve staggered six-year terms. The terms of one or two members expiring on January 31<sup>st</sup> of each odd-numbered year.
- (b) If a vacancy occurs on the advisory board, the presiding officer of the commission, with the commission's approval, shall appoint a replacement who meets the qualifications for the vacant position to serve for the unexpired portion of the term.
- (c) A member of the advisory board may be removed from the advisory board pursuant to Texas Occupations Code, §51.209, Advisory Boards; Removal of Advisory Board Member.

**110.17. Officers.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435)*

- (a) The presiding officer of the commission shall designate a member of the advisory board as the presiding officer of the advisory board to serve for a term of one year.
- (b) The presiding officer of the advisory board shall preside at all advisory board meetings at which he or she is in attendance. The presiding officer of the advisory board may vote on any matter before the advisory board.

**110.18. Meetings.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435)*

- (a) The advisory board shall meet at the call of the presiding officer of the commission or the executive director.
- (b) Meetings shall be announced and conducted under the provisions of the Open Meetings Act, Texas Government Code, Chapter 551.
- (c) A quorum of the advisory board is necessary to conduct official business. A quorum is three members.
- (d) Advisory board action shall require a majority vote of those members present and voting.

**110.20. Application Requirements.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435; amended effective July 1, 2018, 43 TexReg 3881)*

- (a) Unless otherwise indicated, an applicant must submit all required information and documentation of credentials on department-approved forms.
- (b) An applicant must submit the following required documentation:
  - (1) a completed application on a department-approved form;
  - (2) official transcript(s)/documentation of all relevant college work showing successful completion of education requirements and apprenticeship hours;
  - (3) the form providing information regarding other state licenses, certificates, or registrations that an applicant holds or held, if applicable;
  - (4) proof of successfully completing the jurisprudence examination no more than six months prior to the date of application; and
  - (5) the fee(s) required under §110.80.
- (c) The applicant must successfully pass a criminal history background check.
- (d) The department will notify the applicant regarding whether the applicant qualifies to take the license examination.
- (e) Pursuant to Texas Occupations Code, Chapters 51 and 451, the commission or the executive director may deny the application for a violation of the Act.
- (f) If after review the department determines that the application should not be approved, the department shall give the applicant written notice of the reason for the proposed decision and of the opportunity for a hearing under Texas Government Code, Chapter 2001.

**110.21. License Requirements.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435; amended effective July 1, 2018, 43 TexReg 3881; amended effective August 1, 2020, 45 TexReg. 5171)*

- (a) Applicants qualifying under the Act, §451.153(a)(1), shall have:
  - (1) a baccalaureate or post-baccalaureate degree, which includes at least 24 hours of combined academic credit from each of the following course areas:
    - (A) human anatomy and human physiology;
    - (B) health, disease, nutrition, fitness, wellness, emergency care, first aid, or drug and alcohol education;
    - (C) kinesiology or biomechanics;
    - (D) physiology of exercise;
    - (E) athletic training, sports medicine, or care and prevention of injuries;
    - (F) advanced athletic training, advanced sports medicine, or assessment of injury; and
    - (G) therapeutic exercise, therapeutic rehabilitation, or therapeutic modalities; and

- (2) an apprenticeship in athletic training meeting the following requirements:
  - (A) the program shall be under the direct supervision of and on the same campus as a Texas licensed athletic trainer, or if out-of-state, the college or university's certified or state licensed athletic trainer;
  - (B) the apprenticeship must be a minimum of 1,800 hours. It must be based on the academic calendar and must be completed during at least five fall and/or spring semesters. Hours in the classroom do not count toward apprenticeship hours;
  - (C) the hours must be completed in college or university intercollegiate sports programs. A maximum of 600 hours of the 1,800 hours may be accepted from an affiliated setting which the college or university's athletic trainer has approved. An affiliated setting may be any setting where athletic training takes place. No more than 300 hours may be earned at one affiliated setting. These hours must be under the direct supervision of a licensed physician, licensed or certified athletic trainer, or licensed physical therapist;
  - (D) 1,500 hours of the apprenticeship shall be fulfilled while enrolled as a student at a college or university; and
  - (E) the apprenticeship must offer work experience in a variety of sports. It shall include instruction by a certified or state-licensed athletic trainer in prevention of injuries, emergency care, rehabilitation, modality usage, administrative management, and assessment of injuries.
- (b) In place of the requirements in subsection (a), applicants qualifying under the Act, §451.153(a)(1) shall hold a baccalaureate or post-baccalaureate degree and one of the following:
  - (1) current licensure, registration, or certification as an athletic trainer issued by another state, jurisdiction, or territory of the United States; or
  - (2) current national certification as an athletic trainer issued by the Board of Certification, Inc. (BOC).
- (c) Applicants qualifying under the Act, §451.153(a)(2) or (a)(3), shall have a baccalaureate or post-baccalaureate degree or a state-issued certificate in physical therapy or a baccalaureate or post-baccalaureate degree in corrective therapy with at least a minor in physical education or health. Applicants who hold such degrees must complete three semester hours of a basic athletic training course from an accredited college or university. An applicant shall also complete an apprenticeship in athletic training meeting the following requirements.
  - (1) The program shall be a minimum of 720 hours. It must be based on the academic calendar and must be completed during at least three fall and/or spring semesters. The hours must be under the direct supervision of a college or university's Texas licensed athletic trainer or if out-of-state, the college or university's certified or state-licensed athletic trainer. The apprenticeship includes a minimum of 360 hours per year. Hours in the classroom do not count toward apprenticeship hours.
  - (2) Actual working hours shall include a minimum of 20 hours per week during each fall semester. A fall semester includes pre-season practice sessions. The apprenticeship must offer work experience in a variety of sports.
  - (3) The apprenticeship must be completed in a college or university's intercollegiate sports program. A maximum of 240 hours of the 720 hours may be earned at an affiliated setting which the college or university's athletic trainer has approved. An affiliated setting may be any setting where athletic training takes place. No more than 120 hours may be earned at one affiliated setting.
- (d) In place of the requirements in subsections (a) and (b), an applicant qualifying under the Act, §451.153(a)(1),

shall have a baccalaureate or post-baccalaureate degree in athletic training from a college or university, which held accreditation, during the applicant's matriculation at the college or university and at the time the degree was conferred, from a nationally recognized accrediting organization that is approved by the department.

- (e) Certification required. An applicant must have:
  - (1) current certification in the techniques of professional rescuer cardio-pulmonary resuscitation and the use of an automated external defibrillator; or
  - (2) current certification for Emergency Medical Services (EMS) with the Department of State Health Services or its successor agency.
- (f) Each applicant must have a baccalaureate or post-baccalaureate degree from a college or university, which held accreditation, at the time the degree was conferred, from a regional educational accrediting association that is approved by the department.
- (g) The relevance to the licensing requirements of academic courses, the titles of which are not self-explanatory, must be substantiated through course descriptions in official school catalogs or bulletins or by other means acceptable to the department.
- (h) The department shall not accept courses, which an applicant's transcript indicates, were not completed with a passing grade for credit.

**110.22. Athletic Training Student Activities.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435)*

An athletic training student performing the activities of an athletic trainer will not be in violation of the act if the student is performing:

- (1) as part of the athletic training apprenticeship hours described in §110.21; or
- (2) as follows:
  - (A) the student's supervising college or university licensed athletic trainer has approved, referred, sent, or directed the student to a setting other than with the student's school's intercollegiate athletes;
  - (B) the setting is with another college or university, a high school, a professional athletic team, or a health care clinic; and
  - (C) the student is directly supervised in the setting by a licensed athletic trainer, licensed physician or licensed physical therapist.
- (3) Hours which fall under paragraph (2), shall not be counted as apprenticeship hours unless the hours meet the requirements of §110.21.
- (4) For the purposes of this section, supervision means daily, direct, and immediate communication.
- (5) An athletic training student who has graduated, shall not accumulate apprenticeship hours at the same college, university, high school, professional athletic team, or health care clinic at which the athletic training student is employed. In cases where an athletic training student is employed by a school, the athletic training student shall not accumulate apprenticeship hours at a setting within the same school.

**110.23. Examination for Licensure.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435; amended effective July 1, 2018, 43 TexReg 3881; amended effective August 1, 2020, 45 TexReg. 5171)*

- (a) The department shall offer examinations at least two times a year at times and at places established and announced by the department.
- (b) The examination required under the Act, §451.156 consists of a written examination, a practical examination, and a jurisprudence examination prescribed by the department.
  - (1) An applicant must pass the written examination prior to taking the practical examination.
  - (2) An applicant must complete the jurisprudence examination no more than six months prior to the date of application.
  - (3) The written examination may test subject areas including, but not limited to:
    - (A) injury and illness prevention and wellness promotion;
    - (B) examination and assessment;
    - (C) immediate and emergency care;
    - (D) therapeutic intervention; and
    - (E) healthcare administration and professional responsibility.
- (c) An applicant is eligible for examination if the applicant meets one of the following three options:
  - (1) the applicant:
    - (A) is within 30 semester hours of graduation;
    - (B) has completed or is currently pre-registered or enrolled in the courses listed in §110.21; and
    - (C) has completed at least 1,300 hours of the required 1,800 hours and the apprenticeship program is in progress;
  - (2) the applicant is currently enrolled in, and within two semesters of graduating from, an athletic training program at a college or university which holds accreditation from a nationally recognized accrediting organization that is approved by the department, if the applicant qualifies under the Act, §451.153(a)(1); or
  - (3) the applicant has completed at least 600 hours of the required 720 hours and the apprenticeship program is in progress, if the applicant qualifies under the Act, §451.153(a)(2) or (a)(3).
- (d) The department shall review all applications prior to the examination. An applicant meeting the requirements of subsection (c) or of §110.21 shall be approved to take the examination.
- (e) The department shall notify an applicant whose application has been approved for examination. Applications which are received incomplete or late may cause the applicant to miss the examination registration deadline.
- (f) Examinations shall be graded by the department's designee.
- (g) The department's designee shall notify each applicant of the results of the examination within 30 days of the date of the examination.
- (h) The following procedures relate to applicants who fail the examination prescribed by the department.

- (1) An applicant who fails the examination may take a subsequent examination after paying the examination fee.
- (2) The department will make available a copy of the department's policy concerning examination review to an applicant who fails an examination.
- (i) An applicant who fails to take the examination within a period of two years after the initial examination approval notice sent by the department, shall have such approval withdrawn and the application for licensure voided.
- (j) An applicant who has failed the state examination described in subsections (a) - (l), must successfully complete that examination in order to be issued a license. If the application has been voided as described in subsection (i), the person shall submit a new application, and the provisions of subsection (m) shall apply.
- (k) Applicants who have passed the examination and do not have a degree, will have 90 days from their graduation date to submit all documents and fees necessary to show compliance with this chapter and complete the licensing procedure. If the application process is not completed within 90 days of the graduation date, the applicant shall be required to file a new application and retake the examination successfully in order to qualify for licensure.
- (l) A first-time applicant must apply for examination within five years from the date on which the applicant's qualifying degree was conferred or the apprenticeship was completed, whichever is later. An applicant may submit an application after this time period upon successful completion of remedial coursework or apprenticeship, as approved by the department.
- (m) If an applicant has successfully completed the examination administered by the Board of Certification, Inc. (BOC), the applicant shall not be required to complete the state examination described in subsections (a) - (l). The applicant must furnish to the department a copy of the test results indicating that the applicant passed the examination.

**110.24. License Renewal.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435; amended effective January 15, 2021, 46 TexReg 300)*

- (a) Licenses are valid for two years from the date of issuance.
- (b) A licensee must renew the license on or before the expiration date or pay a late renewal fee.
- (c) For each license renewal on or after September 1, 2020, the licensee must complete the human trafficking prevention training required under Texas Occupations Code, Chapter 116, and provide proof of completion as prescribed by the department.
- (d) Expiration of license.
  - (1) A person whose license has expired may not hold himself or herself out as an athletic trainer; imply that he or she has the title of "licensed athletic trainer," "athletic trainer" or "sports trainer," or use "LAT," "AT," or "LATC" or any facsimile of those titles in any manner.
  - (2) A person whose license has expired may not perform the activities of an athletic trainer.

**110.25. Continuing Education Requirements.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435; amended effective July 1, 2018, 43 TexReg 3881; amended effective January 15, 2021, 46 TexReg 300)*

- (a) To renew a license a licensee must complete 40 clock-hours of continuing education during each license term.
  - (1) The continuing education must include two clock-hours of training in concussion management.



- (2) In addition to the number of continuing education clock-hours required under this subsection, a licensee must also show proof of current Emergency Cardiac Care certification at the Basic Life Support for Healthcare Providers/Professional Rescuers and Healthcare Providers level or beyond, which shall be maintained throughout each license term.
- (b) Continuing education taken by a licensee for renewal, shall be acceptable if the experience falls in one or more of the following categories:
- (1) academic courses at a regionally accredited college or university related to sports medicine;
  - (2) clinical courses related to athletic training and/or sports medicine;
  - (3) in-service educational programs, training programs, institutes, seminars, workshops and conferences in sports medicine or athletic training;
  - (4) instructing or presenting education programs or activities without compensation at an academic course, in-service educational programs, training programs, institutes, seminars, workshops and conferences in athletic training or sports medicine, not to exceed five clock-hours each continuing education period;
  - (5) publishing a book or an article in a peer review journal relating to athletic training or sports medicine, not to exceed five clock-hours each continuing education period;
  - (6) serving as a skills examiner at the state licensure examination, not to exceed one clock-hour of continuing education credit for each examination date for a maximum of four clock-hours of credit each continuing education period;
  - (7) successful completion of an online or distance education program in athletic training or sports medicine; or
  - (8) a human trafficking prevention training course approved by the Health and Human Services Commission in accordance with Occupations Code, Chapter 116.
- (c) Continuing education experience shall be credited as follows:
- (1) Completion of course work at or through an accredited college or university shall be credited for each semester hour on the basis of two clock-hours of credit for each semester hour successfully completed for credit or audit, as evidenced by a certificate of successful completion or official transcript.
  - (2) Parts of programs which meet the criteria of subsection (b)(2), (3), or (8), shall be credited on a one-for-one basis, with one clock-hour of credit for each clock-hour spent in the continuing education experience.
  - (3) Successful completion of courses described in subsection (b)(7), is evidenced by a certificate of completion presented by the sponsoring organization of the online or distance education program.
  - (4) Approval by the department must be obtained for each continuing education program as described in subsections (b)(1)-(7), unless continuing education credit is granted by a national, regional or state health care professional association.
  - (5) Successful completion of courses related to athletic training and/or sports medicine as described in subsection (b)(2) and (3), is evidenced by a certificate of completion or attendance that is issued by the sponsoring organization of the course.

- (d) Requests for approval of continuing education experience should address the following criteria:
  - (1) relevance of the subject matter to increase or support the development of skill and competence in athletic training;
  - (2) objectives of specific information or skill to be learned;
  - (3) subject matter, educational methods, materials, and facilities utilized, including the frequency and duration of sessions and the adequacy to implement learner objectives; and
  - (4) sponsorship and leadership of programs; including the name of the sponsoring individual(s) or organization(s), and program leaders or faculty, if different from sponsors and contact person.

**110.30. Temporary License.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435; amended effective July 1, 2018, 43 TexReg 3881; amended effective August 1, 2020, 45 TexReg. 5171)*

- (a) A temporary license may be issued to an individual who meets the educational and apprenticeship requirements of this chapter.
- (b) The temporary license entitles an applicant to perform the activities of an athletic trainer until the results are released from the first practical examination administered at least 30 days after the temporary license is issued.
- (c) Except as provided in subsection (d), an applicant shall not be eligible for another temporary license after the initial temporary license is issued.
- (d) A person who was licensed as an athletic trainer but is no longer eligible to late renew the license, may be eligible for a temporary license upon submission and approval of a new application for licensure. The expiration of a temporary license issued under this subsection will be in accordance with subsection (b).

**110.70. Standards of Conduct.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435; amended effective August 1, 2020, 45 TexReg. 5171)*

- (a) An athletic trainer shall work under the direction of a licensed physician or another qualified, licensed health professional, who is authorized to refer for health care services within the scope of the person's license when carrying out the practice of prevention, recognition, assessment, management, treatment, disposition, and reconditioning of athletic injuries.
- (b) A licensee shall not misrepresent any professional qualifications or credentials.
- (c) A licensee shall not make any false or misleading claims about the effectiveness of any athletic training care.
- (d) A licensee shall not promote or endorse products in a manner that is false or misleading.
- (e) A licensee shall not abuse alcohol or drugs in any manner which detrimentally affects the provision of athletic training care.
- (f) A licensee shall comply with the provisions of the Texas Controlled Substances Act, Health and Safety Code, Chapter 481, and the Texas Dangerous Drug Act, Health and Safety Code, Chapter 483, and any rules of the Department of State Health Services or the Texas State Board of Pharmacy, implementing those statutes.
- (g) A licensee shall have the responsibility of reporting violations of department rules to the department.
- (h) A licensee shall not present false information to the department, on any application or other document or in any investigation or disciplinary proceeding of the department.

- (i) A licensee shall not aid or abet the practice of an unlicensed person when that person is required to have a license under the Act.
- (j) A licensee shall comply with any order relating to the licensee, which is issued by the executive director or commission.
- (k) A licensee shall not provide health care services, which are not within the definition of "athletic training" in the Act, except in accordance with state and federal laws and rules applicable to the provided services including, but not limited to, Occupations Code, Chapter 157 (relating to a physician's authority to delegate certain medical acts); other licensure laws; and laws relating to the possession and distribution of controlled substances.
- (l) A licensee shall not receive or give a commission or rebate or any other form of remuneration for the referral of athletes for professional services.
- (m) A licensee shall provide athletic training services without discrimination based on race, creed, sex, religion, national origin, or age.
- (n) A licensee shall not violate any provision of any federal or state statute relating to confidential medical communications and/or records.
- (o) A licensee shall not offer professional services to a person concurrently receiving the same or similar professional services from another individual, except with the knowledge of that individual.
- (p) A licensee shall not engage in sexual contact or sexually exploitive behavior with a person receiving athletic training services from the licensee. Sexual contact shall mean the activities or behaviors described in the Texas Penal Code, §21.01. Sexually exploitive behavior shall mean any verbal or physical conduct that can reasonably be construed as intended to arouse or gratify the sexual desire of any person.
- (q) A licensee shall not use advertising that is false, misleading, or deceptive or that is not readily subject to verification. False, misleading, or deceptive advertising or advertising that is not readily subject to verification includes advertising that:
  - (1) makes a material misrepresentation of fact or omits a fact necessary to make the statement as a whole not materially misleading;
  - (2) makes a representation likely to create an unjustified expectation about the results of a health care service or procedure;
  - (3) compares a health care professional's service with another health care professional's service, unless the comparison can be factually substantiated;
  - (4) causes confusion or misunderstanding as to the credentials, education, or licensure of a health care professional;
  - (5) advertises or represents that health care insurance deductibles or copayments may be waived or are not applicable to health care services to be provided, if the deductibles or copayments are required;
  - (6) advertises or represents that the benefits of a health benefit plan will be accepted as full payment, when deductibles or copayments are required;
  - (7) makes a representation that is designed to take advantage of the fears or emotions of a particularly susceptible type of patient; or
  - (8) advertises or represents in the use of a professional name, a title or professional identification, that is expressly or commonly reserved to or used by another profession or professional.

- (r) On the written request of a client, a client's guardian, or a client's parent, if the client is a minor, a licensee shall provide, in plain language, a written explanation of the charges for athletic training services previously made on a bill or a statement for the client. This requirement applies even if the charges are to be paid by a third party.
- (s) Unreasonable or medically unnecessary billing is prohibited.
- (t) The license certificate shall be displayed in the primary office or place of employment of the licensee. In the absence of a primary office or place of employment or when the licensee is employed in multiple locations, the licensee shall carry a current license identification card.
- (u) Neither the licensee nor anyone else, shall display a photocopy of a license certificate or carry a photocopy of a license identification card in lieu of the original document.
- (v) Neither the licensee nor anyone else, shall make any alteration on a license certificate or identification card issued by the department.
- (w) The licensee shall notify the department of changes in name or preferred mailing address within thirty (30) days of such change.
- (x) A licensee may not violate any provision of the Act or this chapter.
- (y) A person may not hold himself or herself out as an athletic trainer or perform any of the duties of an athletic trainer as defined in the Act, unless the person holds an appropriate license issued under the Act. A person may not hold himself or herself out as an athletic trainer by implying that he or she has the title of "licensed athletic trainer," "sports trainer," or "athletic trainer" or using the letters "LAT," "LATC," or "AT" or any facsimile of those titles in any manner, unless the person holds a license issued under the Act.

**110.80. Fees.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435; amended effective July 1, 2018, 43 TexReg 3881)*

- (a) All fees paid to the department are nonrefundable.
- (b) The schedule of fees is as follows:
  - (1) initial application fee (includes two-year license)--\$160;
  - (2) temporary license fee--\$160;
  - (3) renewal license application fee (includes two-year license)--\$160; and
  - (4) duplicate/replacement fee for licenses under this chapter--\$25;
- (c) The fees for the written examination, practical examination, and the jurisprudence examination are set by and payable to the department's designee.
- (d) Late renewal fees for licenses issued under this chapter are provided under §60.83 of this title (relating to Late Renewal Fees).
- (e) The dishonored/returned check or payment fee is the fee prescribed under §60.82 of this title (relating to Dishonored Payment Device).
- (f) The fee for a criminal history evaluation letter is the fee prescribed under §60.42 of this title (relating to Criminal History Evaluation Letters).

**110.90. Administrative Penalties and Sanctions.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435; amended*

*effective July 1, 2018, 43 TexReg 3881)*

If a person or entity violates any provision of Texas Occupations Code, Chapters 51 or 451, this chapter, or any rule or order of the executive director or commission, proceedings may be instituted to impose administrative penalties, administrative sanctions, or both in accordance with the provisions of Texas Occupations Code, Chapter 51 and any associated rules.

**110.95. Enforcement Authority.** *(New Section adopted effective October 1, 2016, 41 TexReg 4435; amended effective July 1, 2018, 43 TexReg 3881)*

The enforcement authority granted under Texas Occupations Code, Chapters 51 and 451 and any associated rules may be used to enforce Texas Occupations Code, Chapter 451 and this chapter.